

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

In the Matter of the Search of

One Global Positioning Device
in the custody of Special Agent Donald
Webster of United States Immigration
and Customs Enforcement

FILED
NOV 28 PM 3:52
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SEARCH WARRANT
BY: 69 '07 MJ 2701
DEPUTY

TO: Special Agent Donald Webster and any Authorized Officer of the United States:

Affidavit having been made before me by Special Agent Donald Webster of United States Immigration and Customs Enforcement who has reason to believe that on the premises known as:

See Attachment A which is incorporated herein by reference

in the Southern District of California there is now concealed a certain person or property, namely:

See Attachment B which is incorporated herein by reference

I am satisfied that the affidavit and any recorded testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before 11/29/07 (not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search in the daytime (6:00 A.M. to 10:00 P.M.) and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to Jan M. Adler, United States Magistrate Judge, as required by law.

11/19/07 2:14 p.m.
Date and Time Issued at San Diego, California


UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

ITEM TO BE SEARCHED

The items to be searched are described as:

Garmin Etrex Legend Global Positioning device, blue in color, Serial Number 12466709, blue in color seized from RICARDO TECOMALMAN-CRUZ, FIDEL ESQUIVEL-MARIN and ROBERTO GARCIA-MESA on August 26, 2007 and in the custody of Special Agent Donald Webster of United States Immigration and Customs Enforcement.

ATTACHMENT B

Items to be Seized

From the Global Positioning Device:

Stored waypoints, logs reflecting routes of travel, maps, and other electronic information in stored memory relating to violations of Title 18, United States Code, § 922(g)(5)(A) (Illegal Alien in Possession of Firearms); Title 8, United States Code § 1326 (Deported Alien Found in the United States); Title 8, United States Code § 1324(a)(1)(A) (Bringing in Illegal Aliens; Title 8, United States Code § 1324(a)(1)(A)(ii) (Transportation of Illegal Aliens); 21 U.S.C. § 952 and 960 (Importation of Controlled Substances), and Title 21 U.S.C. § 844(a) (Possession of Controlled Substances) and Aiding and Abetting said offenses in violation of Title 18, United States Code § 2.

AO 93 (Rev. 2/90) Search Warrant

RETURN		
DATE WARRANT RECEIVED <u>11/19/07</u>	DATE AND TIME WARRANT EXECUTED <u>11/22/07 0900</u>	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH <u>N/A</u>
INVENTORY MADE IN THE PRESENCE OF <u>David Marshall, Special Agent, ICE</u>		
INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT <p>1 CD containing GPS coordinates in Mexico retrieved from Garmin Etrex Legend Global Positioning devise, blue in color, Serial Number 12466709, seized from Ricardo TECOMALMAN-Guz, Fidel Esquivel-Marin and Roberto GARCIA-Mesa.</p>		
CERTIFICATION		
<p>I swear that this inventory is true and detailed account of the person or property taken by me on the warrant.</p> <p><u>[Signature]</u> SSA</p> <p>Subscribed, sworn to, and returned before me this date.</p> <p><u>[Signature]</u> U.S. Judge or Magistrate</p> <p><u>11/28/07</u> Date</p>		